

**R E M A R K S**

Reconsideration of this application is respectfully requested.

**ALLOWABLE SUBJECT MATTER**

The Examiner's indication of the allowability of the subject matter of claims 1, 4, 7 and 8, if the double-patenting rejection is overcome, is respectfully acknowledged.

**RE: THE DOUBLE PATENTING REJECTION**

Claims 1, 4, 7 and 8 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-5 of USP 6,953,301 ("Koga et al"). This rejection, however, is respectfully traversed.

According to the present invention as recited in independent claim 1, an underground structure cover is provided which comprises a round cover body and a receiving frame, wherein "in each of said cover body and said receiving frame, the lower inclined surface is steeper than the upper inclined surface."

It is respectfully submitted that Koga et al completely fails to disclose or suggest this feature of the present invention as recited in independent claim 1 whereby "in each of said cover body and said receiving frame, the lower inclined surface is steeper than the upper inclined surface."

As is generally the case with an underground structure cover with an inclined receiving structure, the steeper the inclined surfaces of the cover body and receiving frame, the greater the force with which the cover body is wedged into the receiving frame, so that the cover body is restrained from becoming inclined with respect to the receiving frame or from riding up over the receiving frame. Similarly, the gentler the inclination of the inclined surfaces, the smaller the force with which the cover body is prevented from being excessively wedged into the receiving frame.

According to the claimed present invention, the cover body and the receiving frame each include upper and lower inclined surfaces, and as recited in independent claim 1 the lower inclined surfaces are steeper than the upper inclined surfaces. For example, as recited in claim 4, the upper and lower inclined surfaces are inclined at different vertical angles of  $7^{\circ}$  to  $20^{\circ}$  and  $3^{\circ}$  to  $10^{\circ}$ , respectively.

With the underground structure cover of the claimed present invention, the cover body is fitted in and supported by the receiving frame at the individual upper and lower inclined surfaces with respective different inclination angles, whereby the force wedging the cover body into the receiving frame can be controlled in order to prevent the cover body from becoming wedged too deeply as to complicate removal, as well as to prevent

undesirable displacement of the cover body by becoming inclined and riding up over the receiving frame edge.

By contrast, with the structure of Koga et al, the force wedging the cover body into the receiving frame is unable to be controlled in such a manner. And it is respectfully submitted that the claimed present invention can provide an underground structure cover that is superior in both removal and placement of the cover body as compared to Koga et al.

More specifically, as the inclination angle of the inclined surfaces decreases (as the inclination becomes gentler), the horizontal force component induced by the load applied to the receiving frame by the cover body increases, that is, the force deforming the receiving frame radially outward increases. In this connection, it is noted that a receiving frame of an underground structure cover has a general basic structure including a cylindrical part, an inclined surface formed at the upper portion of the cylindrical part, and a flange protruding radially outward from the lower end of the cylindrical part. With this structure, the rigidity of the cylindrical part increases toward the lower end, and therefore, the lower end of the cylindrical part is less liable to be deformed by external force.

In this regard, it is respectfully pointed out that with the underground structure cover of the claimed present invention, the lower inclined surfaces are steeper than the upper inclined

surfaces, and accordingly, the force with which the cover body is wedged into the receiving frame can be produced mainly at the lower inclined surfaces located close to the high-rigidity lower end of the receiving frame. As a result, the cover body is properly fitted in and supported by the receiving frame, thereby effectively preventing wobbling and riding up of the cover body.

It is respectfully submitted that the above described structural features and advantageous effects achieved by the claimed present invention are not merely an insubstantial modification to the prior art, but represent patentably distinguishing novel features which would not have been obvious to one of ordinary skill in the art.

Accordingly, it is again respectfully requested that the double patenting rejection be withdrawn.

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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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